

concert, representing about one-third; but it is a proposal that he believes will address the issue.

If you don't like that, of course, you can, you know, modify it if you like. Right?

DELEGATE BALDWIN: But I think for the sake of time, Delegate Cooper, once the motion is on the floor, all you would have to do is amend or substitute for the one week "two weeks" and we could move on.

I'm not wedded to one week. I say it could be done, but to move on, you just --

PRESIDENT CASSELL: Yes, sir?

DELEGATE ROBINSON: Samuel Robinson, Ward 5.

I am very concerned about the attitude of the Executive Committee and the pronouncements of the Executive Committee. It appears that the pronouncements of the Executive Committee is based, mainly on expediency and not on the continuity of the convention.

It appears that we were told by the Executive Committee that, one, we were going to request a two-week extension, and that this two-week extension would be sufficient time for this convention to deliberate and finalize all of the articles that needs to be finalized.

PRESIDENT CASSELL: Delegate Moore, why don't you

just amend it? You know, you're just complaining. Amend it, and make it the way you want it.

DELEGATE ROBINSON: Thank you, Mr. President.

I move that this convention request from the City Council a two-week period to complete the drafting of this Constitution.

PRESIDENT CASSELL: Is there a second?

A DELEGATE: Second.

PRESIDENT CASSELL: It's been moved and seconded that we ask the City Council for a two-week extension.

Discussion? Feely?

DELEGATE FEELY: As a member of the Style and Drafting Committee, the only way that I would support a two-week extension would be that the convention recesses for one week, in order to allow Style and Drafting to get all the work done that must be done.

Otherwise I don't see much point in a two-week extension.

I hate to have to get so much into personal business, I think everybody knows I'm a schoolteacher, and I did know when I ran for this that I would have to give up some things; but I've been giving up a lot to be here for Style and Drafting, and for other kinds of committee meetings.

And I'm not sure that everybody else is giving up in kind. And I am not really being Scrooge or selfish or whatever the word is, but I'm concerned about how we're going to utilize time.

It seems to me that a long time ago Delegate Paramore tried to get the preplanning rules committee to deal with the need for jury time. And that committee did talk with the rest of the delegates with regard to the need for jury time. It seems to me, as I recall, when we were meeting at Howard University Law School, we had asked that the Executive Committee do some things with regard to finding out from employers, through the Mayor, if it would be possible to do certain kinds of things to provide us with time in order to do an adequate job.

I don't believe, Mr. President, that was ever followed through on. If I'm wrong, please forgive me.

PRESIDENT CASSELL: Yes. I will respond to that.

The Executive Committee, in discussion, determined that there were a significant number of delegates who did not work for the federal government or the District Government, and whereby we may be successful in getting the Mayor to give D. C. employees and possibly the federal government, we couldn't do it for everybody, that would be discriminatory;

therefore we decided to complete our time to try to complete within the time, and then, if necessary, to ask for an extension of time.

DELEGATE FEELY: I'm sorry, Mr. President, the intent, as I understood that, was not to have only people whose time the Mayor controls to have some time, but to have the Mayor use his good graces to negotiate with other employers.

PRESIDENT CASSELL: Well, the response to your question is that the Executive Committee decided not to do that, because it did not feel that it could be successful.

Now, I think what we need to do again is, if you want to amend that motion, if you want to recess, make it work. Now, a complaint doesn't solve anything.

If that amendment is not satisfactory, then make it satisfactory.

DELEGATE FEELY: Can I amend the amendment?

PRESIDENT CASSELL: Of course.

DELEGATE FEELY: Then I would amend the amendment to say that there would be a one-week recess after the 29th, and that the convention come back --

PRESIDENT CASSELL: I'm sorry, did you finish your amendment?

DELEGATE FEELY: No, I was looking for a date.



I was looking for a calendar.

PRESIDENT CASSELL: Okay.

DELEGATE FEELY: You're saying a two-week extension? I can't deal with that. Two-week recess? I can't deal with that, either.

I'm dealing with how I see the world. Okay? And how I see the world is: I move that there be a one-week recess after the 29th, and that the convention reconvene June the 7th for one week.

A DELEGATE: Second.

PRESIDENT CASSELL: Just a minute now. A recess for one week and a reconvening for one week? You understand that the motion now is to extend the time to two weeks; the implication is two weeks' time to write the Constitution.

Is -- as you're amending it now you're giving us a week's recess, at which time the Style and Drafting Committee would work, and then only one more week to do the work.

DELEGATE FEELY: I basically agree with delegate Baldwin that if you keep giving people too much time, they keep thinking they've got a little more time, and they don't have it.

I basically believe that certain things needs to be finished up by the 29th, in order for Style and Drafting

to do its job.

PRESIDENT CASSELL: You stated your motion as you intend it.

Did I get a second?

A DELEGATE: Yes, I seconded it.

PRESIDENT CASSELL: Okay.

The motion on the floor now is to amend Delegate Robinson's motion. Delegate Robinson's motion speaks to a two-week extension to write the Constitution. Delegate Feely's motion is to amend that to recess for one week, right after May the 29th and then to reconvene for one week to continue writing the Constitution.

Discussion o Delegate Feely's amendment to the amendment. Delegate Shrag?

DELEGATE SHRAG: I just have a question, Mr. President, and it's applicable to both the main motion and to the amendments to it.

Is the proposed extension contingent upon the convention receiving funds for staff, office space, Xerox and word processing equipment and so forth, or if it's indicated to the convention that we would not continue to get paid for staff --

PRESIDENT CASSELL: The answer is yes.

DELEGATE SCHRAG: -- would we abandon efforts to meet over that extra two-week period?

PRESIDENT CASSELL: Yes. The Executive Committee and the chairpersons included in that request the condition that money were provided by the City Council to pay for staff, supplies and equipment, not for the Delegates themselves.

DELEGATE SCHRAG: Thank you.

PRESIDENT CASSELL: Further discussion on Delegate Feely's amendment to the amendment?

Coates?

DELEGATE COATES: Yes, sir. I'm opposed to it if it means that there's only an extension of one week to allow consideration of all of it.

My reason is this, sir: I think that the most powerful dynamics determining whether the meeting is orderly or not is the self human need to speak one's piece. For illustration, regarding the issue of unicameral or bicameral, numbers of legislators, was quickly settled once everyone who wanted to speak did so.

Looking at the opus of articles that remain before us, they pose a mammoth challenge invoking again that human tendency, notwithstanding the merits of a particular individual position on the issue, to say it and be heard.

I think part of the problems of participating in a constitutional convention generates the most populist tendencies.

Now, if delegates by the accommodation of an additional two weeks for debate will submit themselves to discipline which I see has been initiated by Vice President Baldwin's proposal -- I say initiated, because it seems to me that we have to have a further extension whereas he has accommodated a larger number of our amendments, based on essential matters in an area. If we take that and then work it down to another level of specificity so that we put a specific time on the minority reports, specific time on incidental amendments, and rigidly stick thereto, I argue -- and I don't know, but would ask, in whatever motion we consider, whether the delegates would sign off on that rigidity in consideration for having two additional weeks, to speak their piece.

So that I'm not opposed to the concerns of Style and Drafting, I think that's neat, but if it cuts out to the extension whereby persons can speak their piece in an orderly way, then I'm opposed to it.

PRESIDENT CASSELL: Let me see if I understand. There was a long discourse and it was very clear even though

it was long. Are you saying in essence that the problem that we face is that we have not yet made some means for reducing the amount of time that we spend on reading, on debating, on making minority reports; and if it continues at the rate that it's continuing now, that this schedule may be unrealistic?

DELEGATE COATES: That's correct, we will never achieve --

PRESIDENT CASSELL: Therefore, your --

DELEGATE COATES: Unless we go beyond that and say: In consideration for having two additional weeks, that each may speak his piece, then sign off on rigid rules and define some specific block of time, not only for the committee's report but for the subsections of the report; to the extent that you can identify. And you can certainly identify his report, you can identify minority reports, and we can work out a presentation by which persons having incidental motions to enlarge those of the committee, sufficiently in advance so we can keep with the block of time that Vice President Baldwin has set, for each of these reports.

PRESIDENT CASSELL: I think what you've done is to, in effect, make an amendment to this amendment, which is qualifying and makes it acceptable to you. It doesn't go far

enough. It also does not give two weeks, as you would prefer to see. All right.

DELEGATE COATES: That's correct. That's my concern. To suggest that we need two weeks, notwithstanding what we do on Style and Drafting.

In the hope that the two weeks allowed will gender for us the support of those among the delegates for rigid time and not just the black of time, case in point seven and a half hours combining Finance and Taxation; but rigidly to impose on the committee report, minority report, on the incidental amendments.

PRESIDENT CASSELL: The maker of the motion says he is willing to withdraw the one week, make it two weeks, if that will help us to move on. If that were acceptable to the body, I would ask you if you would detail, as you have verbally, the kind of tightening up process that you see we need, that would be guidance that we could discuss in our Executive Committee with chair persons so that we could implement that.

Delegate Long?

DELEGATE LONG: On April 29th, Delegate Johnson distributed a proposal which would do just what Reverend Coates is asking; that there would be a certain number of



hours under our regular debate rules, six hours.

PRESIDENT CASSELL: We really do have to give respect and attention to the speaker, please.

DELEGATE LONG: After that six hours there would be a period of two hours with limited debate. That is, two speakers for, two speakers against.

After those two hours, we would move down to extremely limited debate, from one speaker for and one against.

Now, that's the kind of thing I think you have in mind.

PRESIDENT CASSELL: All right. What that suggests is that what I asked you to do may very well be done.

Yes, could you, you know, maybe talk to her, and between the two of you get for us the kind of guidance that we would need, in that respect.

Motion on the floor is -- that's nothing but qualification. The motion on the floor as accepted by Delegate Baldwin is that we request an extension of two weeks for the purpose of writing the Constitution.

There has been an acceptance of the fact that there needs to be some detailing of how we use that time.

Delegate Nixon, Delegate Robinson, Delegate Moore.

Yes, Delegate Simmons?

DELEGATE SIMMONS: I just wanted to know if you had my name down?

PRESIDENT CASSELL: Yes, I have it now. And somebody else over there -- I'm sorry. Holmes.

Delegate Nixon, go ahead.

DELEGATE NIXON: Mr. Chairman, I rise to speak against the motion. When the motion came up to consider extending the time of the convention two weeks, I couldn't help thinking about Bryan Moore's request of the convention, to consider extending the time two months ago, when he asked for consideration of extending the time. He was shouted down, with fellow Delegates saying, "We will finish on time".

But now we want to extend the time. Just glancing at the calendar this morning, I saw, in my opinion, that we wasted, as of today, some 273 hours of time by not meeting at all. What I call considerable working hours.

These 273 hours add up to 11 days, and this does not include time wasted trying to get a quorum. When I say considerable working hours, I say that on Saturdays instead of meeting eight hours, we only meet five; thus wasting three good hours of working time, and it adds up to days.

We don't meet on Sundays, so we waste a whole day.

During the past week we have been meeting only five hours, thus again wasting three good hours of working time. I just want the Delegates to realize that if we want to get an extension, we better start using our time wisely.

I will only vote in favor of the motion to extend the time, realizing that we did come here to write a Constitution; and if we don't finish on time, then we will have to get more time.

Will we waste more time on unnecessary debate? Will we waste more time not meeting? And it's always really embarrassing asking for more time. But when you ask for more time and get more time and waste that, it would only show the voters and Congress that we truly aren't ready.

I hope that we won't get lazy, if we happen to get an extension. I hope that all of the Delegates who wish to vote in favor of the time extension are in favor of maximizing the use of our time.

[Applause.]

PRESIDENT CASSELL: Thank you. Delegate Moore.

And then Delegate Robinson-

DELEGATE T. MOORE: This is a point of inquiry.

I just wanted to know if we did extend the time, Mr.

President, I'm wondering what time is going to be given to

Style and Drafting? I mentioned that some time ago, if we completed our work thoroughly, what was going to happen to Style and Drafting, how are they going to complete their work?

PRESIDENT CASSELL: As I indicated before, we have very carefully worked out the schedule, the procedures and the support services that we give to Style and Drafting. Dr. Austen sits here as a part of that process. The chairperson of that committee is satisfied, and we're waiting to see how well that works.

Delegate Robinson?

DELEGATE ROBINSON: In moving that the convention be extended for a period of two weeks, I feel to note to the Delegates that implied in the move was that we would work at no cost. It is my hope that the Executive Committee, in the person of the President of this Convention, would not ask or beseech the City Council for additional funding to pay Delegates for this additional time.

I do not know at this time if it is necessary to move an amendment to the motion, to request funds; but I would hope that we would be -- the consensus that we will work this additional two-week period without any compensation from the people of this great city.

Thank you.

PRESIDENT CASSELL: Talmadge Moore?

All right. Simmons.

DELEGATE SIMMONS: Mr. President, I wish to serve notice to this body that a number of the Delegates do have graduation commitments and responsibilities, and that those two weeks are the two weeks in June when those graduations occur, and they are not just in the evening, they are 9:30, they are 1:30, they are 4:30, they are 7:30.

So it is talking about all through the day, and I speak for myself as one delegate who will have very scant time to be concentrating on a constitution during those two weeks. Because I went into this fully prepared to make all these sacrifices up through the end of May. And felt quite comfortable that I would not be neglecting a previous public trust. And I contend that --

PRESIDENT CASSELL: The motion on the floor is Delegate Feely's amendment. That there be a week off and a week working.

DELEGATE SIMMONS: But that's two weeks.

DELEGATE BALDWIN: Call for the previous question.

PRESIDENT CASSELL: The previous question has been called. Is there a second?

We lack a second. The next speaker is Delegate Holmes.

DELEGATE HOLMES: Mr. Chairman, I want to say I'm strictly against the two-week extension. I have been here every day, but one evening. And some of the Delegates have taken time off. I think you should consider some of the Delegates that have been here constantly to keep a quorum going. And you have not considered that even at that, we have been coming in here at four o'clock every day for the last two weeks. And I don't think that our bodies can carry as much problems plus the energies that we have put in this.

I did not come here for money. I put my time in, and I've taken off my job. And I think that if we extend our time, we're no more than dragging our feet. You've had ample time to do whatever you want to do, and I think that the Delegates have been very good to the Executive Committee because they have stayed here to keep a quorum going.

I think that you should consider -- don't turn around your head looking at me, because I don't want to be bothered with that -- but I'm saying you should consider the people that have put their time and energies in this building, and still coming in here and using their leave, and I am totally against a two-week extension.



If you hadn't played games from the beginning, you'd be able to do -- you would have had your work done, and the end. And if you had lawyers, like I tried to tell you all to get, you wouldn't be as far behind as you are.

[Applause.]

PRESIDENT CASSELL: Delegate Mason.

DELEGATE C. MASON: I rise to oppose the amendment -- any specification of two weeks to be used --

PRESIDENT CASSELL: Please, please. Respect to the speaker.

Delegate Mason.

DELEGATE C. MASON: It's not necessary in our request to the Council to say how we would use the two weeks. This, the convention itself can decide when the time comes.

The Council doesn't care whether we're having committee meetings or general sessions in the first week or in the second week.

My own personal plans would make me much more available in the first week than in the second. I could spend much more time on it in the first week in June than in the second. This is true for Hilda, too.

But I don't think it's necessary for this body at this time to say that we would recess the first week or that

we wouldn't. Simply to ask the Council, in one way or another, to give us two weeks more.

There are various ways of doing it, but just simply to say two weeks more would be one way; to say another way would be to say in counting the 90 days Sundays don't count. That would give us 13 more days, other than Sunday.

But, whatever we do, we don't have to specify what we do on what day.

PRESIDENT CASSELL: I thought that -- Delegate Mason, let me ask you this question. I thought the purpose of the motion was to have a week in which we would not be charged for writing the Constitution, which would be a week in recess, at which time the Style and Drafting Committee could continue to work. But the clock wouldn't run on us. And then another week to write. Right.

Is that the intent of your motion, Delegate Feely?

DELEGATE C. MASON: I think it would be just as easy to get a two-week extension as to get a one-week extension with a break in between. It would take less explaining.

PRESIDENT CASSELL: I see. I see.

Okay, further discussion? Delegate Schrag.

DELEGATE SCHRAG: Mr. President, I just want to make

a statement similar to Delegate Simmons's statement. I don't think that I have missed one minute of plenary meeting time since the day we started back in January. But I do have commitments in June, and my time will only be available sporadically during that. I am prepared to give it my all during the rest of May, because I made a pledge to the voters and the convention to do that.

But I'm just making a personal statement, that I'm not going to be able to give more than sporadic time during the month of June.

PRESIDENT CASSELL: Okay. The motion on the floor was Delegate Feely's motion, and, in effect, the motion is for a two-week extension. She simply qualified how the time should be used.

She's also indicated that she would support it on the basis of some sort of commitment that the Style and Drafting committee would have time and support for its work. I gather that your motion doesn't differ much from Delegate Robinson's.

I've got a note here, that I'm going to interrupt the vote for. It's from Delegate Gloria Corn's sister. And her sister says --

A DELEGATE: No, no, no, no.

A DELEGATE: Read it. Read it.

[Simultaneous calls from the floor while President Cassell silently scans message.]

PRESIDENT CASSELL: I have a note that some one among us has been taken ill. Now, I am advised that it may not be correct. All right. And therefore I'm not going to read it. I can't raise an issue and then just abandon it.

Okay. The motion on the floor for a two-week extension, with a qualification that the Style and Drafting get time to do its work.

Well, can we vote on that motion now? We were making pretty good time there for a while. Yes.

All right. Those in favor signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Opposed?

[Chorus of "noes".]

PRESIDENT CASSELL: Abstaining?

Motion loses. The original motion was Samuel Robinson's motion. Delegate Robinson's motion was for a two-week extension with no qualifications.

Those in favor of that motion signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Those opposed?

[Chorus of "noes".]

[Call for a division.]

PRESIDENT CASSELL: Those in favor please raise your hands.

[Showing of hands.]

SECRETARY COOPER: Five.

PRESIDENT CASSELL: Those opposed?

[Showing of hands.]

SECRETARY COOPER: Fifteen.

PRESIDENT CASSELL: All right, the motion loses.

Okay, the original motion by Delegate Baldwin was to extend for one week.

Those in favor of that motion signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL:: Those opposed?

[Chorus of "nays".]

PRESIDENT CASSELL: Abstain?

Okay. We have presented to you -- let me say just something about where we are now.

This is May the 12th. May the 29th is 17 days away. There have been several admonitions from Delegates about the

way the convention has conducted itself up to now; there's been discussion and charges about wasted time. About people who have not attended. About the fact that the meetings have started late.

Now, all of those things are true, but they will not remedy this situation in the next 17 days. We do have some responsibilities.

Now, I point out to you that tonight the Chair made a spirited effort to speed things up, and the Chair was buoyed by the fact that he seemed to get support; but that lasted for about ten minutes. Then as soon as we got back to a discussion of a new issue, regarding a way to remedy, we found ourselves issuing admonitions to each other. We haven't solved the problem.

I am saying to you, and I think Delegate Coates is correct, and that is that as much as I may try, sometimes I've been charged with being arbitrary and dictatorial, capricious and all that. There's usually a purpose behind that, and I ask you to believe that the purpose is for the purpose of getting us to the 29th.

Now, even doing that, the time it's taken to debate and to discuss, it has been impossible for us to set time limits for readings, for minority reports, for the number of



discussions that we have on an issue. We can say right now that unless there is an extension of time, it is obvious, and everybody in here know that it is impossible to change the human nature that exists within this convention, that we could speed up our actions. It's too much ingrained into us that we can finish this on May the 29th.

Is there any disagreement to that?

That this convention proceeding at its pace cannot finish by May the 29th.

No, 2, that this convention is not going to change its pace, so it's obvious that ~~what~~ you've done today is to vote that you do not care to finish within the allotted time.

Now, we can admonish ourselves all we want. We can talk about the need to debate ad nauseum; but that isn't the purpose. This is not -- the purpose was not to come here and debate. The purpose was to either finish on time or justify why you need -- you'll be laughing stocks, and those of us who will say that from today on we need more time, and I support it, and I oppose pretending that we can finish by May the 29th.

I shall say that I imagine there will be others. To get to the 29th, and not having taken some constructive action, to try to get our work done with any reasonable frame

of time, is irresponsible. And I am suggesting that this convention, now that the Executive Committee has given you a proposal, that proposal has been amended, and all those amendments have been turned down, that this convention needs to make it, it needs to give further instructions, and since we can't do it by 45 people making decisions to give further instructions to the Executive Committee, as to how we can finish on time, proceeding at the pace, recognizing that we ain't going to change our habits.

[Applause.]

DELEGATE HARRIS: Mr. Chair, what you have said, I think, is very much to the point. Mr. Samuel Robinson, several months ago, made a recommendation that we come and start earlier. And it was also stated by Jeanette Feely, when Paramore, a month ago -- we cannot write a constitution from six to ten every night.

And it is being proven. And I'd like to offer -- I don't know whether it would be a motion, a new motion that encompasses Delegate Samuel Robinson's and Feely's and Paramore's suggestion, is that we start the convention every day at 4:00 p.m.

PRESIDENT CASSELL: Do I hear a second?

A DELEGATE: Second.

PRESIDENT CASSELL: It's been moved and seconded -- as a beginning to the remedy that the Chair asked for, there may be several remedies. It has been moved and seconded that we start the convention at four o'clock sharp every day. That means Monday through Friday.

There is no reference in this motion to what happens on Saturday.

Those in favor of that motion signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Opposed?

[Several "nays".]

PRESIDENT CASSELL: Abstain?

Motion carries.

A DELEGATE: It was not seconded.

PRESIDENT CASSELL: Was that motion not seconded?

A DELEGATE: I seconded it.

PRESIDENT CASSELL: Delegate Coates.

DELEGATE COATES: Mr. Chairman, I move that we adopt from the Baldwin report the time allocations --

DELEGATE LOVE: We already did that.

PRESIDENT CASSELL: I'm sorry.

I don't know, what is it we are to adopt?

DELEGATE COATES: I was referring to the Baldwin

report.

PRESIDENT CASSELL: Yes.

DELEGATE COATES: Mr. Chairman, I move that when time allocation, in accordance with the Baldwin report, has expired, that we vote on all matters relating to that committee's report.

The minority report with respect thereto, and then the motion with respect thereto.

That is to say, when the time has expired, from the moment of its first consideration, it's seven and a half hours with respect to Finance and Tax, that we immediately receive a finalized vote without any lengthy discussion or debate.

A DELEGATE: You can't do that.

DELEGATE COATES: On the committee report, the minority report, and the incidental motions.

PRESIDENT CASSELL: That motion is clear, but this is not the time for it. Inasmuch as the motion that's on the floor now is that we begin at four o'clock every day.

A DELEGATE: I thought we adopted that.

A DELEGATE: That just passed.

PRESIDENT CASSELL: Did that pass?

VOICES: Yes, it did.

PRESIDENT CASSELL: Oh, I'm sorry. This is a new

motion? I beg your pardon.

Yes, you can see what's happening.

All right. Your motion is very much in order. After that motion is put, we'll ask Delegate Baldwin to complete his report.

Point of order?

DELEGATE B. MOORE: There was no discussion on the motion.

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PRESIDENT CASSELL: Nobody asked for discussion; the Chair did not ask for it.

Now, are you saying that you would have preferred to oppose that motion or support it?

[Delegates expressing themselves simultaneously.]

PRESIDENT CASSELL: All right. We are about to move on. There was no discussion. That is true. The Chair intended to have no discussion.

Right? The body did not oppose it.

Delegate Schrag?

DELEGATE SCHRAG: Mr. President, I raise a point of order with respect --

[President banging gavel for order.]

DELEGATE SCHRAG: Mr. President, I raise a point of order with respect to Delegate Coates motion.

His motion is essentially a motion to restrict debate. And our rules permit a certain amount of debate. They permit each member to speak on each section of an article, to make amendments and motions with respect to it and so forth.

I therefore suggest, Mr. President, that it can be done, and it may be a good idea. But it requires an amendment to the rules. And that has to lay before the body, for us to give it some thought.

PRESIDENT CASSELL: Delegate Coates, what he did was to support a time limit, it was not to restrict debate. You can have a thousand speakers, but those thousand speakers would have to speak within a specific timeframe. There is nothing in our rules that prohibits that. I rule that your motion is out of order.

Further discussion on the motion.

DELEGATE SCHRAG: New point of order, Mr. President.

PRESIDENT CASSELL: You just had your point of order.

DELEGATE SCHRAG: I have a different point of order.

PRESIDENT CASSELL: Yes, well, you will have to wait your turn. Right. You can understand that?

DELEGATE SCHRAG: Sure.



PRESIDENT CASSELL: Yes?

DELEGATE B. MOORE: What was your response to my point of order about the discussion?

PRESIDENT CASSELL: One thing, I don't want to have to repeat this, and I want to move on because I don't think it's that important.

Let me say it once again. I said we will now vote. There was no opposition. People did vote. Right? And we're trying to expedite.

My good man, it's 9:48, I don't think we need to debate issues like that all night. There's no problem, You're talking about a technicality.

Delegate Oulahan?

DELEGATE B. MOORE: I want to say --

PRESIDENT CASSELL: Delegate Oulahan, please.

It's not substantive, it's just a delay. You won't accomplish anything. It's just a technicality which is a waste of time.

Delegate Oulahan.

DELEGATE OULAHAN: I have another suggestion.

PRESIDENT CASSELL: Yes, sir.

DELEGATE OULAHAN: The problem is with the amendments. Amendments being made by somebody else here. Why not put a rule into effect from now on that the only

amendments that can be made are amendments which were submitted by the morning of the day that the debate starts, were submitted in writing on forms that people have, so that we can sit here and read the amendments --

PRESIDENT CASSELL: Okay. Let us get to the report. Delegate Baldwin did not finish his report and he has spoken to those issues.

Is there a motion on the floor? What's the motion on the floor? What is it?

SECRETARY COOPER: It's Coates' motion. After we have suspended time for debate --

PRESIDENT CASSELL: I think we can take care of that motion and still go to the perfecting suggestions that Delegate Baldwin has.

Can we vote on Delegate Coates' motion, which has us meeting every day at four o'clock Monday through Friday? Do you have a -- the Secretary says that's on the floor.

SECRETARY COOPER: Coates' motion was that once the time expires for debate on the article we go immediately to the vote. No minority reports. No more amendments.

PRESIDENT CASSELL: Was that seconded?

SECRETARY COOPER: I don't know if it was seconded.

A DELEGATE: It has been seconded, but it hasn't been

voted on.

PRESIDENT CASSELL: All right. Delegate Coates' motion is -- as a matter of fact, Delegate Coates, that is a part of the report which you have read, you read a portion of it, why don't we let Delegate Baldwin finish his report so that we can deal with it item by item? Would you be willing to withdraw that motion?

DELEGATE COATES: Yes, sir.

PRESIDENT CASSELL: Thank you very much.

Delegate Baldwin.

DELEGATE BALDWIN: When we adopted the schedule on first reading, what in fact we did, and I think a motion was made that stated that, we had a time limit set for each committee: seven and a half, seven and a half, some committees I recall they said eleven hours for Preamble and Rights.

I also stated that beginning with Legislature, that we're hearing tonight, through Finance and Taxation, and Economic Development, that we would complete those three articles by Saturday at 5:30. Now, the ones that have seven and a half hours allotted, if one went over to eight hours, then maybe the next one would be ten. Well, we are saying we will complete those three articles by Saturday at 5:30.

And that we've adopted. So, the rules said there could be no reconsideration.

As I understood what Delegate Coates was saying, and I agree with Delegate Schrag, what Delegate Coates was saying is that at the end of that allotted time, let's say seven and one-half hours, we would immediately stop, you would vote to accept or reject that article and that's it, whether you were through or not.

Delegate Schrag says what that does is in fact to cut off debate. Yes, it does, than if you want to suspend the rules, if you've got two-thirds, you would in fact cut off debate and see.

That's where we are.

The motion that I made for the extension of one week is lost, the two-week is lost, as you know; so where we are is we will terminate this convention on September 29th.

VOICES: May 29th.

DELEGATE BALDWIN: May the 29th. What this body should be concerned with is, No. 1, how we're going to do it. We don't have time to do it, but I have shown how it can be done.

I will not make a motion dealing with the second reading, because it's inappropriate at this time. We did get

one committee, the Health and Housing Committee, that will be ready May the 17th. So at least we have something to do on May 17th, and we will not have to go into second reading.

Preamble and Rights, Education aren't ready, so we need to be concerned about when will it be ready.

Therefore, I would proceed with my next recommendation. We cannot at this point deal with third reading, because we don't know now. I have third reading would be no later than -- would be on the 29th, and based on actions you've taken tonight, unless you, by some hook or crook, change it, we will have third reading on the 29th and we will in fact have an official signoff on the 29th, because we have nothing beyond the 29th.

Therefore, the only thing as far as my report is concerned is a procedure to deal with debate. These proposed procedures are in our rules, they are within our policies, and I will proceed with the procedures as I see it, and I think if we would follow, that we could in fact meet our deadline.

The first recommendation I now move is that we accept -- I'll read the first one before I make the motion. It says: Committee chair. Committee chair will read the article only once. Allow for a 30-minute question and answer



period. Select one person to speak to the question. If the person who raises the question is not satisfied, then another committee person could in fact then respond.

What we have had, as you know, with the first four committees, we have had five and six committee people feeling a need to respond to a question, when the person who asked the question has said many times, "Okay, I'm satisfied, I'm through". But then we had committee members who just wanted to continue to speak.

I'm recommending that we terminate that. If a person asks a question, one person can respond. If the person is not satisfied, then somebody else would attempt; then we move on.

The committee chair will move to the adoption of the article section by section during the discussion. The minority section will present it first, followed by amendments if there be any from the floor. No delegate can speak to a section more than twice. All of this is within our rules. Only twice is what I'm saying, because it says in answer. Meaning then that the second time is after all other delegates have spoken, they are allowed to speak again.

What that means is that you've had most of these Articles 2, 3, 4, 5, some of them a week, and you know them



and you've read them or should have. You should know what amendments you want to make. And I have seen and I have a record and I can show you, one person amended one section five times, or at least attempted to. Well, we shouldn't allow that.

If there's an amendment you want to make, you make that, and if you know you only have one amendment then you have to prioritize what it is you want to say.

These kinds of things will cut off debate. Therefore, I move the duties and responsibilities of the committee chair be adopted.

A DELEGATE: Second it.

PRESIDENT CASSELL: It's been moved and seconded that the committee chairs use the debating procedures as recommended by Delegate Baldwin be adopted.

Any discussion?

Schrag, Long.

DELEGATE SCHRAG: Delegate Baldwin, I have a question. There's one part of your written report that you didn't state just now, and I wonder if it's included -- one part of your written report that you distributed to us.

DELEGATE BALDWIN: On the committee chair?

DELEGATE SCHRAG: This thing called debating

procedures. There's a sheet called debating procedures that you distributed to us, that you appeared to be reading from.

DELEGATE BALDWIN: No, I just haven't gotten to that yet.

I'm reading now just about the committee chair. I am just reading the committee chair's part, then the next would be the chair's role. Is there anything you have other than that?

PRESIDENT CASSELL: Identify the part he didn't say.

DELEGATE SCHRAG: Is this the paper you read from?

DELEGATE BALDWIN: Yes, I'm reading that.

DELEGATE SCHRAG: There was one phrase that you didn't read, and I wonder whether it's included in your motion or not.

You said that no delegate can speak to a section more than twice. But there's also written on this page, no delegate will be allowed to amend a section more than once. Is that included in your motion?

DELEGATE BALDWIN: That's included, yes.

DELEGATE SCHRAG: All right. I have a question about that. And that is: isn't that -- the rest of your report I have no quarrel about -- but isn't that particular one -- doesn't that require an amendment to our rules?

Since our rules, Rule 4.2(m), permit amendments to be made and do not set forth any restrictions on them. As in Robert's Rules, they permit Delegates to amend whatever is on the floor.

By restricting the right to amend, doesn't that require an amendment to the rules with a two-thirds vote and the proper time period?

DELEGATE BALDWIN: I think I prefaced my remarks earlier that we can in fact meet these deadline, even if it meant suspension of the rules, and if we think that a person should only speak, should only attempt to amend a section once, we can do that tonight by either consensus or two-thirds or whatever.

Now, if we want to say well, we don't want that, then that's okay with me. But what we're trying to do is see how can we get our -- complete our work by September the 29th.

A DELEGATE: May 29th.

DELEGATE BALDWIN: By May the 29th. I have to show, as I mentioned to you earlier, that we had one person who had attempted to amend a section which was only five lines five times.

So, you know, we can go along with your rule and say,

yes, we can continue to do that. All I'm saying is that a lot of things, as you know, we can suspend our rules and, if this is a minor point, what I consider a minor point, we can say, yes, we shouldn't allow one person to attempt to amend but once. Or if you want to go through the formal procedures, yes, let's vote and have two-thirds, and we'll be here that much longer.

DELEGATE SCHRAG: I see your point, Delegate Baldwin. And I think that suspension of the rules is the right way to go, to do this.

DELEGATE BALDWIN: Yes.

DELEGATE SCHRAG: But it seems to me that a suspension should be on a case-by-case basis. When a delegate is abusing the rules, we should suspend the rules and cut off that Delegate's right to do it, rather than making it once and for all time decision now, which it seems to me is both unwise and would require an amendment of the rules rather than a suspension of them.

DELEGATE BALDWIN: I would concur with that, but it has been my experience, as the President pointed out to us earlier, that so many of us do not respect the chair, they will holler about our rights, we've got a right to speak more than once; and we've gone through this many, many times.

But all I can say is yes, you are right as far as the rules are concerned. I only ask what do you have to propose other than that?

DELEGATE SCHRAG: I think we should suspend the rules whenever a Delegate is abusing the privilege, like that; I think that would be the proper way to go, rather than trying to amend them. Since, if we have a very long section, it may need five perfecting amendments or whatever.

DELEGATE BALDWIN: That's my explanation and I would proceed with this and we can vote it up or down.

DELEGATE SCHRAG: Thank you.

PRESIDENT CASSELL: The chair feels that inasmuch as there is no indication in the rules that you cannot limit debate, you cannot set a time limit, that for the convention at this time to try to expedite its work by taking an action which is not prohibited by the rules, should certainly be followed, and I hope that we don't waste a lot of time now debating over the niceties and the fine points of the rules.

I asked earlier that all suggestions from this point on be implementing. If we had forever, we could go along and debate rules and regulations. We're talking about using the rules in a constructive way to aid us. And I would interpret the rules, unless they say that you cannot place a



time limit, as allowing that in order to do what we're trying to do.

DELEGATE BALDWIN: Thank you, Mr. President.

Delegate Feely?

DELEGATE FEELY: I wish to go along with what you're saying about rules, that we could agree to insist on the rules on page 12 under Chapter 3(b)(4) Amendments, which allows for people with amendments to get together. I think you could save time if you insist.

Which means that in order to insist, I guess we would have to change the rules in order for the President to require people with amendments to get together, so we can save time there.

We would have to change the language to say "must" rather than "may".

PRESIDENT CASSELL: Yes, let us note that. Sandra Johnson, then Freeman, who wants to comment on that.

DELEGATE JOHNSON: I would like to ask if there is a motion to adopt this, because --

PRESIDENT CASSELL: There is a motion on the floor. This is the discussion.

DELEGATE JOHNSON: Okay. I would like to, I guess, amend Delegate Baldwin's proposal to include our reading in



addition to the dates that he has given here, our meeting on the last two Sundays of May --

PRESIDENT CASSELL: Yes, Delegate Johnson, the motion on the floor has to do with responsibility of committee chairs. That's what we're discussing now. If you have any discussion on that -- if you don't, then it will have to wait until we dispose of this. That's the motion on the floor.

DELEGATE JOHNSON: If you will call on me at the appropriate time to do that; thank you.

PRESIDENT CASSELL: You have an amendment, right.

All right, is there further discussion on Delegate Baldwin's motion to adopt the responsibilities on the sheet, which is entitled Debating Procedures, for committee chairs?

There being no further discussion, those in favor of -- yes, Delegate Freeman, I didn't call on you.

Quickly, quickly.

DELEGATE FREEMAN: On the question of amendments, I would move to amend Delegate Baldwin's section. It's an idea that I've had to try to consolidate amendments and to make that process more efficient.

Which is to every night have two delegates sit at some designated table and receive amendments from the

delegates written down. So that those two delegates, and we could rotate it so that nobody would be stuck with the job every single night, could read through all the written amendments and determine, say, that X number are dealing with the same subject matter and, in fact, say the same thing, or deal largely with the same subject matter, and then go match the delegates up.

Because often delegates don't even know that an amendment that they intend to make is going to be made by somebody else and is going to be changed. So the two delegates who have that responsibility for matching amendments up could find the delegates, have them work it out on the floor in advance and let the President know, the person who is chairing the meeting know, when amendments are going to be coming up and get them consolidated in advance, to cope with it that way.

I would so move. I think that we could have two delegates do that and rotate every single night for that responsibility.

The reason why I think it ought to be delegates is because it deals with content.

PRESIDENT CASSELL: The amendment is to have two delegates sit at a table and to collect all of the written

amendments and determine whether there are any inconsistencies, repetitions and so forth, and then apparently hand those to --

DELEGATE FREEMAN: No, ask the delegates to get together when they are matched up.

PRESIDENT CASSELL: And ask the delegates who put them together, if necessary or if required, to consolute them, to limit the number of amendments.

That's been moved and seconded; what is your pleasure?

All those in favor of Delegate Freeman's amendment, please signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Opposed?

[Several "noes".]

PRESIDENT CASSELL: Abstain?

"Ayes" have it.

Yes, Delegate Long has the floor.

DELEGATE LONG: Mr. President, I don't believe that the measures that Delegate Baldwin has suggested are nearly stringent enough. Let's face it, the place is sinking. It's time we faced up to reality and started putting some choke on debate. Johnson's proposals, from the end of April, are the kind of thing we need to implement. So many hours of regular

debate, then we stop that and go to a limited debate, where you have two speakers, two for a motion, and after that for the remainder you go down to one speaker for and against, and we vote.

That, coupled with the requirement for four seconds, to any motion that gets on the floor, should get us through this thing without suddenly having to swallow the tail end of an article all at once.

I move that we impose debate limits in the following fashion: that every motion require four seconds, that we have, out of the seven and a quarter hours allocated, as we've agreed, that the first three hours be under regular debate, the second -- I mean the succeeding two hours be under limited debate, with two speakers for and two against, and that the remaining time be under minimum debate, with one speaker for and one speaker against.

Now, that requires a suspension of the rules in order to implement it. And we shouldn't diddle around here worrying about the fine points of how you get there. If we don't do something extreme, we're going to end up in the soup.

PRESIDENT CASSELL: Can you summarize that in a few words, please?

DELEGATE LONG: Yes. There are four proposals in

the motion: that for any motion to get on the floor, it requires four seconds; that out of the time limits, which Delegate Baldwin has worked out, the first three hours would be under regular debate under the rules as they now stand; the next two hours would be under a limited debate, which is defined as two speakers for the motion, two against; and you go immediately to a vote.

After that, all the succeeding time is under minimum debate: one speaker for the motion, one speaker against; you immediately vote.

PRESIDENT CASSELL: Do you need that written down, or did you get it?

All right. Is that motion clear?

Discussion? Garner?

DELEGATE GARNER: The Delegate from Ward 3 and the Delegate from Ward 7 whose motion has been incorporated in this motion, heartily support it and urge you to adopt it.

PRESIDENT CASSELL: Thank you. Delegate Feely.

DELEGATE FEELY: I just want to encourage that this should be part of the interpretation, that we have the people get together to try to get their points so that everything can be said and it won't be unnecessary repetition.

PRESIDENT CASSELL: Delegate Schrag.



DELEGATE SCHIRAG: I have a question for Delegate Long.

Delegate Long, is it the procedure that we would follow under your motion that the first few sections of an Article would get a lot of attention, and if a section late in an article happened to be very difficult or controversial, it would get much less attention just because it came late in the article.

DELEGATE LONG: That's true.

DELEGATE SCHIRAG: Isn't that a serious disadvantage of this particular proposal as opposed to adopting a very similar proposal for that, but making that time breakdown within each section, so that you'd have -- within a particular section you'd have the first ten minutes under unlimited debate, and then the next five minutes under limited, and then the next five minutes under, you know, very limited, something like that.

Wouldn't it make more sense to break this down by sections rather than by Articles?

DELEGATE LONG: You can offer an amendment.

DELEGATE SCHIRAG: All right. I offer the following substitute -- and I agree with you that both of these take -- either of these would take a suspension of the rules and a



two-thirds vote.

PRESIDENT CASSELL: It sounds like this is going to be an amendment, right?

DELEGATE SCHRAG: This is an amendment, and that is that with respect to any particular section of an article that we're dealing with, for the first ten minutes on that section we operate under our normal rules; for the next five minutes on that section we have two for and two against, as you stated; and for all following time after that we have the very restricted one for and one against, as you stated. And we encourage Delegates to put their really important things in the first part, where they can be more thoroughly debated.

PRESIDENT CASSELL: Did you get that, Mr. Secretary?

SECRETARY COOPER: I want it stated as a substitute.

PRESIDENT CASSELL: I'm interested in expediting -- well, all right, we'll call it a substitute. I'm not interested in technicalities.

Can you summarize that a little?

DELEGATE SCHRAG: The Secretary wants me to summarize it again?

SECRETARY COOPER: I want you to offer it as a

substitute.

DELEGATE SCHIRAG: Okay, stated as a substitute, then.

The substitute motion is that with respect to each section, I move to suspend the rules so that with respect to each section the first ten minutes be under our regular rules, the next five minutes have two speakers for and two speakers against only, and any time that the section takes after that there be permitted only one speaker for and one speaker against.

PRESIDENT CASSELL: Okay, the difference is section by section, rather than the articles. Okay.

Discussion?

Okay, those in favor of the Schrag amendment -- I beg your pardon, the Schrag substitute -- point of information?

DELEGATE JORDAN: Yes, sir. Mr. Chairman, I'd just like to ask a question through the chair to make a substitute motion. That is, I don't hear a limitation placed on the final phase of the thing. And it's conceivable then that on the final phase it can go longer than the ten minutes or longer than the five minutes; and that's what I want to clarify.

If you have one speaker for or one speaker against, does that mean that they are limited to five minutes apiece or what?

DELEGATE SCHRAG: Mr. Jordan, you are correct. There is no limitation in the final phase of the debate. And I think there can't be, because otherwise -- if we did put a limitation on the final phase, a limitation on the number of people who could make amendments as opposed to the time they are allowed to speak, we might have the situation where we had a section of an article in an impossible posture, in a situation where it didn't make any sense as it had been amended, and the body had no way to deal with that, had no way to make it make sense or make it, you know, put it in some order.

As was our experience at the end of last night, you know, we had created a situation that really the body didn't want. We took some more time today and we straightened it out. And I think we are going to have to leave ourselves the leeway, but we can, I think, deal with that by asking people in that very limited debate to keep their speakers down to a few seconds. Make their amendments, but don't blab so much.

PRESIDENT CASSELL: Coates?

DELEGATE COATES: What troubles me about the

Schrag proposal is that we still do not have a limited number of hours and minutes per article. It should be narrow and restricted, that's desirable, but the end is still open. So that we could extend, even on the minimum level of debate, consideration of the matter.

PRESIDENT CASSELL: Delegate Baldwin.

DELEGATE BALDWIN: Delegate Long, as I understand your motion, it's in four parts, and I probably want to speak to two, two parts of that four. I am not sure that the Schrag amendment, substitute motion dealt with all four parts or one or two; you weren't clear on it.

DELEGATE SCHIRAG: A substitute for everything except the four seconds.

DELEGATE BALDWIN: Oh, okay.

First thing, we have adopted the first reading. The first reading specifically stated the limitation to hours. The only way you're going to change that -- in fact you can't change it any way. So how do you plan, No. 1, to deal with that?

And secondly, I for one don't want to be a part of any group that says we need four seconds to a motion, you know, here in the Nation's Capital, all the parliamentarians, the Congress, everybody said we'd be delighted to stop. Why do

you need four seconds? You're not doing anything but playing games. And I would bet you that they would get the four seconds, because people use the seconds, they get up on the floor to get their say. So you wouldn't have any problem in getting four seconds. No. 1, I don't think it makes much sense to say we need four seconds, and I'm sure you realize what that says about this body.

Secondly, you need to deal with action that has been taken by this group which was the first reading. We did in fact vote to limit articles to a certain number of hours, as Delegate Coates says, some seven and a half, some seven, eight, even Preamble and Rights we say we're going to give them eleven and a half hours.

So you can't come back and do that type of thing. At least we shouldn't be able to. I think that got us in some difficulty the other night.

Our problem has been and will continue to be controlling ourselves, operating within our rules, and I don't think we need any four seconds, and speak one minute to this and two minutes to that, and all of that. I think we need to just carry on and operate -- especially my main concern, in closing is we have adopted a limitation on articles.



PRESIDENT CASSELL: Okay, the Schrag amendment is on the floor.

[Previous question was called for.]

PRESIDENT CASSELL: The previous question has been moved; is there a second?

A DELEGATE: Second.

PRESIDENT CASSELL: Moved and seconded we cut off debate on Schrag's amendment.

Those in favor signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Opposed?

[Chorus of "noes."]

PRESIDENT CASSELL: Abstain?

Show your hands those who want to cut off debate, please.

[Showing of hands.]

SECRETARY COOPER: Twenty.

PRESIDENT CASSELL: Opposed?

[Showing of hands.]

SECRETARY COOPER: Five opposed.

PRESIDENT CASSELL: Abstain?

The Schrag motion is, Mr. Secretary?

SECRETARY COOPER: To suspend the rules, the first



ten minutes of each section be regular debate under our rules. The succeeding five minutes, there will be two speakers for and two against. For the remaining time, one speaking for and one speaking against.

PRESIDENT CASSELL: Those in favor show your hands please?

[Showing of hands.]

SECRETARY COOPER: Nine.

PRESIDENT CASSELL: Those opposed?

[Showing of hands.]

SECRETARY COOPER: Eleven.

PRESIDENT CASSELL: The motion fails.

Abstain?

[Showing of hands.]

PRESIDENT CASSELL: Two abstentions.

Okay, we're back to the Long amendment. Do you want to restate the Long amendment?

SECRETARY COOPER: The Long amendment provides that under our rules governing debate, that of any article, that every motion requires four seconds. That three hours of the time allocated for debate, the first three hours be regular debate under our rules, that the next two hours be limited debate, and that the succeeding hours would be

restricted debate.

PRESIDENT CASSELL: Those in favor --all right, discussion? Oulahan, Moore, Garner.

Oulahan, Moore, Garner, Cooper.

DELEGATE OULAHAN: I think that when somebody makes a motion that he or she should not be required to get four seconds in order to have the matter considered by the body. That's the reason why I made the point earlier, I wouldn't have any problem with four seconds for a motion from the floor, particularly in light of some of the motions that I have seen.

But when someone takes the trouble to sit down and write, prepare a format which is in contention with the document and submits that, there are some of them that should not be required to have four seconds. Especially where we go into other amendments.

Four seconds for a motion from the floor is not -- that has not been submitted in writing, I think we should not have that.

PRESIDENT CASSELL: Gryan Moore.

DELEGATE B. MOORE: I'd like to speak against the motion also, to the fact that you need four seconds on any proposed amendment or substitute motion; and, secondly, the

inequitable application of the rules. At the beginning of the article there will be more attention as to the latter part.

I would concur with Mr. Baldwin's proposal to support that idea. We have X amount of hours with that article, we know we are limited to that amount of time, and it will be up to the chair and the body to move expeditiously on that article knowing that our time is running out.

So I would vote against this motion and support Baldwin's.

PRESIDENT CASSELL: Cooper.

DELEGATE COOPER: I would like to next vote against the amendment.

PRESIDENT CASSELL: Please, quiet.

DELEGATE COOPER: Every time we try to get into this problem of trying to define new procedures it takes us two hours. It's already taken us an hour and 25 minutes this time, when we could have been doing a lot of work on these Legislature articles. That's why I'm concerned about it. Every time we try to redefine the procedures, it takes us a good two hours; and this is the third time in the last two weeks we have done it. When we could have --

in those six hours we could have adopted a full article.

So let's think about trying to save some time in redefining our time.

PRESIDENT CASSELL: Freeman.

DELEGATE FREEMAN: I move to divide the question so we can consider part one separately from parts two, three and four, which are to be considered together.

A DELEGATE: Second.

PRESIDENT CASSELL: We don't need any discuss, do we? Those in favor of dividing it into three parts, raise your hands.

DELEGATE FREEMAN: No, two parts.

PRESIDENT CASSELL: Two parts?

DELEGATE FREEMAN: Section 1 alone and Sections 2, 3 and 4 together.

PRESIDENT CASSELL: Let's see the hands of those who want to divide.

[Showing of hands.]

SECRETARY COOPER: Sixteen.

PRESIDENT CASSELL: Those who do not want to divide?

[Showing of hands.]

SECRETARY COOPER: Four.

PRESIDENT CASSELL: Those who abstain?

Motion carries.

Delegate Coates.

DELEGATE COATES: I would hope it's not necessary to move the previous question regarding Section 1.

PRESIDENT CASSELL: I hope so, too.

Those in favor of Section 1, please signify by raising your hands.

[Showing of hands.]

SECRETARY COOPER: Seven.

PRESIDENT CASSELL: Those opposed?

[Showing of hands.]

SECRETARY COOPER: Eighteen.

PRESIDENT CASSELL: Abstain?

Motion loses.

Second part. Yes?

DELEGATE SCHIRAG: Mr. President, with some regret, as a result of the failure of my motion, I see that we have to vote on this motion. I rise to speak against it, because I think it will put us in an impossible situation when an article like the Bill of Rights comes up.

The Bill of Rights will have 25 or 30 different rights in it. We will get through some of them in the first



four hours. We will get through a couple in the next two hours. We will find ourselves with rights in the Bill of Rights, very, very important sections of our Constitution, on which there will be practically no debate and no time for debate, simply because they come at the end of that article.

And this may be true of other articles, too, where important things will happen at the ends of articles.

If we vote for this, we will be putting ourselves in the position of giving very, very scanty consideration to controversial questions just because they happen to be in Section 12 rather than Section 1, and I think that's a very poor way for us to proceed; and I urge we vote against this proposal.

A DELEGATE: You said something about Section 12?

DELEGATE SCHRAG: Yes, but if the chair of the committee moves them in order, then we will have the result that I described.

A DELEGATE: Mr. Chairman, I move the question.

PRESIDENT CASSELL: Is there a second to that?

A DELEGATE: Second.

PRESIDENT CASSELL: Okay. Those in favor of moving the question, signify by raising your hands, please. Moving the question.

[Showing of hands.]



SECRETARY COOPER: Fifteen.

PRESIDENT CASSELL: Against? Opposed?

Abstain?

Okay. The question is the vote on section 2. Those in favor -- all right, the second part, 2, 3 and 4, that's the rest of the motion.

Those in favor please signify by raising your hands.

[Showing of hands.]

SECRETARY COOPER: Five.

PRESIDENT CASSELL: Those opposed?

SECRETARY COOPER: Thirteen.

PRESIDENT CASSELL: Abstain?

We are now back to the main motion by Delegate Baldwin, which is the adoption of the section on committee chairs.

DELEGATE SCHRAG: Mr. President --

PRESIDENT CASSELL: Don't you think we've had enough discussion on this?

Are you going to say something that hasn't been said before?

DELEGATE SCHRAG: Yes, sir. I stated before that if this came up I would seek recognition to divide out one

sentence from the proposal, because the one sentence takes a two-thirds vote, and it would be very confusing to vote on a part that requires a majority and a part that requires two-thirds.

PRESIDENT CASSELL: Yes, you did. You did.

DELEGATE SCHRAG: So I move to divide out --

PRESIDENT CASSELL: Wait a minute, point of procedure.

SECRETARY COOPER: Mr. Baldwin's motion is an incidental motion that is on the floor, that only takes a majority vote.

This is an incidental motion that Mr. Baldwin set forth to adopt --

DELEGATE SCHRAG: Even Mr. Baldwin said it required a two-thirds vote, Mr. Secretary.

No delegate --

The sentence that says no delegate will be allowed to amend a section more than once. That one requires a suspension of the rules. That one sentence requires a suspension of the rules. And I think we should divided it out and vote on that separately.

PRESIDENT CASSELL: I think we must agree with it, that is a suspension of the rules.

All right now, could we -- I don't think there's any dissension over that. Could we divided that out by consensus?

Allright.

SECRETARY COOPER: No, we can't divided it out by consensus.

PRESIDENT CASSELL: Very well. Very well.

The motion is to divide out that sentence that says no delegate can speak to a section more than twice. Discussion?

Those in favor -- Oulahan? Quickly.

DELEGATE OULAHAN: Mr. Chairman, I'm in favor of the division, but I would be much more in favor if you had some kind of provision that could be inserted in all proposals in the first part. That requires a committee of Preamble to come out and give a report by Friday night, just with thekind of problem Delegate Schrag was presenting. That -- the more time we have to ge over it, the more debate is going to be. These people have gotten extensions of time, but they didn't work on what they should have.

PRESIDENT CASSELL: Thank you. Mr. Kameny?

DELEGATE KAMENY: Yes. I take offense personally

and on behalf of my committee for that kind of fidelity is long in coming. I object that our committee was signled out for any kind of special attention whatsoever. We are working hard. We are doing our best. And our report will come out as soon as it is possible. We are not delaying. We at not operating in a dilatory manner. And I think -- I take that motion as a direct attack in a most personal sense on our committee.

And I urge, on that basis, that we vote it down.

PRESIDENT CASSELL: Delegate Moore.

DELEGATE T. MOORE: Mr. President, I hope that we will move expeditiously on this.

DELEGATE KAMENY: We are doing what we can.

DELEGATE T. MOORE: I want to say one thing, Mr. President, and I think when we start restricting -- I know we have to expedite, but when we start restricting the debate, I think we are setting a very dangerous precedent, where we can come up with all kinds of excuses.

PRESIDENT CASSELL: Thank you.

The motion on the floor is to divide out, no delegate can speak to a section more than once. those in favor --

SECRETARY COOPER: The sentencebefore that, allow

them to amend a section.

PRESIDENT CASSELL: I'm sorry. No delegate will be allowed to amend a section more than once.

Those in favor signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Opposed?

[Chorus of "noes".]

PRESIDENT CASSELL: Show your hands, please, those in favor of separating out no delegate can be allowed to amend a section more than once.

[Showing of hands.]

SECRETARY COOPER: Eighteen.

PRESIDENT CASSELL: Those opposed?

[No response.]

PRESIDENT CASSELL: The previous question has been moved, those in favor of cutting off debate and voting on this, hands please.

Those in favor of voting. Hands please.

That no delegate shall be allowed to amend a section more than once.

Cutting off debate on that motion, right.

[Showing of hands.]

PRESIDENT CASSELL: Please keep your hands up.



SECRETARY COOPER: Nineteen.

PRESIDENT CASSELL: Opposed?

Abstained?

[Showing of hands.]

SECRETARY COOPER: Two.

PRESIDENT CASSELL: Okay. Those in favor of separating out "no delegate will be allowed to amend a section more than once" signify by raising your hands.

Those in favor of -- of the statement "no delegate shall be allowed to amend a section more than once", signify by raising your hands.

[Showing of hands.]

PRESIDENT CASSELL: "No delegate may be allowed to amend a section more than once." We're voting on that only.

Hands.

We're in the middle of a vote, sir.

Hands are going up and down; just keep them up, please.

SECRETARY COOPER: Thirteen.

PRESIDENT CASSELL: Opposed?

[showing of hands.]

SECRETARY COOPER: Nine.

PRESIDENT CASSELL: Motion carries.

The next is the --

A DELEGATE: No, you said that would take two-thirds.

PRESIDENT CASSELL: No, I didn't rule that.

A DELEGATE: Yes, you did.

PRESIDENT CASSELL: It may be true. All right. What's the count?

SECRETARY COOPER: Thirteen in favor, nine opposed. That's not two-thirds.

PRESIDENT CASSELL: Okay, that is true. The motion loses.

The balance of the motion is on committee chairs. That is that entire paragraph with the exception of "no delegate will be allowed to amend a section more than once". Are we ready to vote on that?

Delegate Baldwin's paragraph on committee chairs. Those in favor, show your hands, please.

[Showing of hands.]

SECRETARY COOPER: Nineteen.

PRESIDENT CASSELL: Opposed?

[Showing of hands.]

SECRETARY COOPER: Six.

PRESIDENT CASSELL: Abstained?

DELEGATE BALDWIN: Mr. Chairman, the last one is a very simple section. No. 1, it just says that each session will begin promptly. Saturday we tried this and it worked, and I think it would work for the remainder of the convention.

The meeting was scheduled to start at nine o'clock. At ten thirty we didn't have a quorum, but it was about ten or eleven, and we said let's just begin the question and answer session. We know we can't take up any official business, but at least those who are present, the chairman of the committee and the committee can respond to those questions.

We did that. Once we got a quorum we began right with the debate and said to the delegates that we would not have time now for the question-and-answer period, because, if you wanted that, you should have been here, et cetera; and it moved along.

Since we aren't taking official action, we are just giving out information, we explained to those who were present the question that we had regarding the article, and we found that worked very well.

I was just wondering if we couldn't continue that procedure.

PRESIDENT CASSELL: Yes. Okay. Discussion on that amendment?

Discussion on that chapter on the chair?

No discussion.

Those in favor of that description of the chair --

SECRETARY COOPER: We don't have a quorum.

PRESIDENT CASSELL: Can we get a quorum?

All right, we have a quorum now.

Those in favor of the motion -- those in favor of adopting the paragraph on chairs -- let me just look at it -- not the committee chairs, the chair, this is the last paragraph. Please keep your hands up.

[Showing of hands.]

SECRETARY COOPER: Eleven.

PRESIDENT CASSELL: Please keep them up.

SECRETARY COOPER: Eighteen.

PRESIDENT CASSELL: Opposed?

Abstain?

Unanimous. We have adopted a partial procedure.

Ladies and gentlemen, we meet tomorrow at four o'clock. I would hope that we are all able to be here at four o'clock. Tomorrow is Thursday. And Friday we meet at our regular time. At Saturday from twelve until five. Twelve until five.

The Chair will entertain a motion to adjourn.

DELEGATE T. MOORE: We don't have a quorum.

PRESIDENT CASSELL: You're right. Delegate Moore, let me pull that back.

It's been suggested that a convention really doesn't adjourn, that what we do is to recess each session.

Motion to recess? Motion to recess?

A DELEGATE: So moved.

A DELEGATE: Second.

PRESIDENT CASSELL: So moved, seconded; all in favor of recessing signify by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Opposed?

Abstain?

We stand in recess until tomorrow at four o'clock. It will be four o'clock from now on.

[At 10:58 p.m., the meeting was recessed, to reconvene at 4:00 p.m., Thursday, May 13, 1982.]

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